



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/530,020	11/10/2005	Hec Hycok Hahm	123051-05040286	7877

43569 7590 04/11/2007  
MAYER, BROWN, ROWE & MAW LLP  
1909 K STREET, N.W.  
WASHINGTON, DC 20006

EXAMINER
----------

TORRES, MARCOS L

ART UNIT	PAPER NUMBER
----------	--------------

2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/11/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/530,020	<b>Applicant(s)</b> HAHM ET AL.	
	<b>Examiner</b> Marcos L. Torres	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01 April 2005 and 10 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11-10-05</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) filed on 11-10-05 is being considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Park 10-0292089.

As to claim 1, Park discloses a method of providing an arbitrary sound as an RBT (Ring Back Tone) in a communication network (see abstract), comprising: a first step, conducted by an HLR (Home Location Register), of furnishing a call-originating exchanger with information on whether or not an RBT is to be replaced for a terminal through a response message to a location request message received from the call-originating exchanger that sends the location request message to the HLR when a call connection is requested to the terminal (see page 17, line 2 – page 19, line 10); and a second step, conducted by the call-originating exchanger, of searching for a sound code

Art Unit: 2617

assigned to the terminal based on the information included in the response message, and providing a caller with a pre-stored RBT- replacing sound associated with the found sound code as an RBT while making a trunk connection to a call-terminating exchanger based on the response message (see page 16, line 17 – col. 19, line 6).

As to claim 2, Park discloses a method of providing an arbitrary sound as an RBT (Ring Back Tone) in a communication network (see abstract), comprising: a first step, conducted by an HLR (Home Location Register) when a location request message is received from a call-originating exchanger because of call connection request to a terminal, of furnishing a call-terminating exchanger with information on whether or not an RBT is to be replace for the terminal through a routing information request message that is sent to the call-terminating exchanger (see page 17, line 2 – page 19, line 10); and a second step, conducted by the call-terminating exchanger when a trunk connection request from a call- originating exchanger is recognized, of searching for a sound code assigned to the terminal based on the information, and providing a caller with a pre-stored RBT-replacing sound associated with the found sound code as an RBT (see page 16, line 17 – col. 19, line 6)T.

As to claim 3, Park discloses a method wherein a server separated from the call-originating exchanger and the call- terminating exchanger has a subscriber-code table where subscriber numbers are associated with sound codes individually, and the call-originating or the call-terminating exchanger searches for the sound code with the aid of the server (see page 18, line 14 – page 19, line 6).

Art Unit: 2617

As to claim 5, Park discloses a method wherein a server separated from the call-originating exchanger and the call-terminating exchanger has a subscriber-code table where subscriber numbers are associated with sound codes individually, and the call-originating or the call-terminating exchanger searches for the sound code with the aid of the server (see page 18, line 14 – page 19, line 6).

5. Claims 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Park in view of Deeds US 20040204146A1

As to claim 4, Park discloses wherein the call originating and the call-terminating exchanger communicate with the server in the code searching operation (see page 18, line 14 – page 19, line 6). Park does not specifically disclose using the Internet protocol. In an analogous art, Deeds discloses using the Internet protocol in the communication between a exchanger and a server (see par. 0022). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to use Internet protocol for the simple purpose of using the commonly available and inexpensive Internet network.

### ***Conclusion***

Any response to this Office Action should be mailed to:

U.S. Patent and Trademark Office  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Or faxed to:

571-273-8300

Art Unit: 2617

for formal communication intended for entry, informal communication or draft communication; in the case of informal or draft communication, please label "PROPOSED" or "DRAFT"

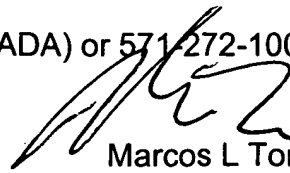
Hand delivered responses should be brought to:

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcos L. Torres whose telephone number is 571-272-7926. The examiner can normally be reached on 8:00am-6:00 PM alt. Wednesday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-252-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Marcos L Torres  
Examiner  
Art Unit 2617

Application/Control Number: 10/530,020

Page 6

Art Unit: 2617

mlt